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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,550	05/31/2001	Ralph Lipe	M61.12-0336	8932

27366 7590 06/30/2005

MICROSOFT CORPORATION C/O WESTMAN
CHAMPLIN & KELLY, P.A.
SUITE 1400 - INTERNATIONAL CENTRE
900 SECOND AVENUE SOUTH
MINNEAPOLIS, MN 55402-3319

EXAMINER

PARDO, THUY N

ART UNIT PAPER NUMBER

2165

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/871,550

Applicant(s)

LIPE ET AL.

Examiner

Thuy Pardo

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-46, 48-52, 54 and 56 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 46, 48-52 and 56 is/are allowed.
6) ☒ Claim(s) 41 is/are rejected.
7) ☒ Claim(s) 54 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.



DETAILED ACTION

1. Applicant's Amendment filed on March 21, 2005 in response to Examiner's Office Action has been reviewed. Claims 1-40, 47, 53 and 55 have been canceled, and claims 41, 46, 52 and 56 have been amended.

Object to claims

Claim 54 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. In this case, claim 54 has been depended on claim 53 which have been canceled. Applicant is required to cancel the claims, or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. But in the interest of the compact prosecution, assume claim 54 depended on claim 52. Correction is required.

2. Claims 41-46, 48-52, 54 and 56 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Brumme et al.** (Hereinafter “Brumme”) U.S. Patent No. 6,134,559 in view of **Mital et al.** (Hereinafter “Mital”) US Patent No. 6,189,012.

As to claim 41, Brumme teaches the invention substantially as claimed, comprising:
selecting an object data set for an object from a plurality of object data sets for the object's class [primary key identification for the table corresponding to the C-Dept class type, col. 33, lines 13 to col. 34, lines 24; col. 30, lines 17-25];

instantiating the object based on the unique identifier [conversion object from data source to the uniform object model, ab, 810-845 of fig. 14; col. 9, lines 46 to col. 10, lines 67]; and

initializing the object using at least one attribute in the selected object data set [col. 30, lines 58 to col. 31, lines 57; col. 33, lines 54 to col. 34, lines 36].

However, Brumme does not explicitly teach each object data set including the same unique identifier for the object class, where only objects of the object's class can be instantiated using the unique identifier. Mital teaches each object data set including the same unique identifier for the object class, where only objects of the object's class can be instantiated using the unique identifier [see the abstract; 101-110 of fig. 11; 120-131 of fig. 13; col. 5, lines 41-65]. Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to add the feature of Mital to the system of Brumme as an essential means toad meaning to knowledge being navigated, while immediately after such creation making the usage-created knowledge available for further navigation

Allowable Subject Matter

Claims 42-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 42, the feature of locating the object data set; instantiating an object token separate from the object, and initializing the object token to point to the object data, taken together with other limitations of claim 41 was not disclosed by the prior art of record.

Claims 43-45 being further limiting to claim 42 are also objected to.

Claims 46, 48-52, 54 and 56 are allowed.

The prior art of record fails to teach or suggest individually or in combination a second entry containing the same unique identifier for the object class as the first entry and at least one attribute of the object class that is different from the at least one attribute of the first set of the object data as set forth in the independent claim 46, the feature of instantiating the object based on a unique identifier in the set of object data and passing a pointer to the object token to the object as set forth in the independent claim 52, and the feature of locating object attributes for an object that are located outside of a static attribute storage location, initializing the object token to point to the object attributes and providing to an instance of the object a pointer to the instantiated object token as references to the object attributes as set forth in the independent claim 56.

Claims 48-51 and 54 being further limiting to claims 46 and 52 respectively are also allowed.

Applicant's arguments with respect to claim 41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at 571-272-4146.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

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Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

June 24, 2005

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

**THUY N. PARDO
PRIMARY EXAMINER**